

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

<b>UNITED STATES OF AMERICA</b>	)	
<b>Appellee,</b>	)	
	)	
<b>vs.</b>	)	<b>DOCKET NO. 15-4057</b>
	)	
<b>BRIAN DAVID HILL,</b>	)	
<b>Appellant.</b>	)	
<hr style="width: 40%; margin-left: 0;"/>	)	

**APPOINTED COUNSEL’S MOTION TO WITHDRAW**

NOW COMES the undersigned counsel for Appellant Brian David Hill, Mark A. Jones, Esq., hereby moving this Honorable Court to withdraw from this matter and to be relieved of the responsibility of filing a petition for certiorari. In support, the undersigned shows unto the Court the following.

1. The undersigned was appointed pursuant to the Criminal Justice Act on February 5, 2015.
  
2. The government moved to dismiss the appeal as untimely and the undersigned filed a response opposing the dismissal of the case. Today, April 7, 2015, this Court granted the government’s motion to dismiss the appeal and affirmed the decision of the district court not to extend the time for filing an appeal.
  
3. Undersigned filed a Certiorari Form today, April 7, 2015.

4. After a careful and thorough review of the issues presented in this appeal, the undersigned has formed the opinion that a petition for a writ of certiorari would be frivolous.
5. A copy of this motion has been served on Appellant, and he has been notified of his right to file a response to this motion within seven (7) days.

WHEREFORE, the undersigned appointed counsel respectfully requests that he be allowed to withdraw from this matter and that he be relieved of the responsibility of filing a petition for certiorari in this matter.

RESPECTFULLY SUBMITTED, this the 7<sup>th</sup> day of April, 2015.

/s/Mark A. Jones  
BELL, DAVIS & PITT, P.A.  
Attorney for Appellant  
North Carolina Bar # 36215  
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**CERTIFICATE OF SERVICE**

I certify that I have this day served a copy of the above upon Appellant Brian Hill by sending copy, certified mail, return receipt requested to him at the following address:

Brian David Hill  
916 Chalmers St. Apt D  
Martinsville, VA 24112

This the 7<sup>th</sup> day of April, 2015

/s/ Mark A. Jones  
BELL, DAVIS & PITT, P.A.  
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